

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
1042 II REALTY, INC,	:	
	:	
Plaintiff,	:	
-against-	:	
	:	21-CV-2761 (VEC)
PHH MORTGAGE CORPORATION,	:	
	:	<u>ORDER</u>
Defendant.	:	
-----X		

VALERIE CAPRONI, United States District Judge:

WHEREAS on October 12, 2021, the parties appeared for oral argument on Defendant's motion for adverse inferences;

WHEREAS at the hearing, Plaintiff stated on the record that it is not arguing that it detrimentally relied on the loan acceleration; and

WHEREAS neither party objects to replacing Defendant Ocwen Loan Servicing, LLC with PHH Mortgage Corporation.

IT IS HEREBY ORDERED that for the reasons stated on the record, Defendant's motion is DENIED without prejudice.

The Clerk of Court is respectfully directed to close the open motion at docket entry 48. The Clerk of Court is further directed to replace Defendant Ocwen Loan Servicing, LLC with PHH Mortgage Corporation on the docket and to change the case caption to *1042 II Realty, Inc. v. PHH Mortgage Corporation*.

SO ORDERED.

Date: October 12, 2021
New York, NY

VALERIE CAPRONI
United States District Judge